

**SIDLEY**

SIDLEY AUSTIN LLP  
787 SEVENTH AVENUE  
NEW YORK, NY 10019  
+1 212 839 5300  
+1 212 839 5599 FAX

AMERICA • ASIA PACIFIC • EUROPE

+1 212 839 5567  
JLOUGHNANE@SIDLEY.COM

December 6, 2022

By ECF

**MEMO ENDORSED**

Honorable Sidney H. Stein  
United States District Court  
500 Pearl Street  
New York, NY 10007-1312

RE: USA v. Maurice Martinez, 13 Cr 414

Dear Judge Stein:

I was appointed as counsel for Maurice Martinez in the above-captioned matter, pursuant to the Criminal Justice Act. I write to respectfully request that the Court relieve me as counsel in light of a recently discovered conflict, and appoint new counsel for Mr. Martinez. The Government has no objection to this request.

I served as an Assistant U.S. Attorney in the Southern District of New York from 2002 until 2018. On September 9, 2022, I was appointed as counsel for Mr. Martinez in this matter. When I was appointed, I consulted with Christopher Dimase, the Assistant U.S. Attorney originally responsible for Mr. Martinez's case, in order to determine whether any of my prior work at the U.S. Attorney's Office presented a conflict. At that time, neither AUSA Dimase nor I identified any work that I had done in the U.S. Attorney's Office that presented a conflict. Mr. Dimase has since informed me, however, that in the course of other work he came across emails indicating that I had in fact played a role in the underlying indictments in this case during my time in the U.S. Attorney's Office.

Title 18, United States Code, Section 207(a)(1) prohibits a former employee of the executive branch from "knowingly mak[ing an] . . . appearance before any . . . court . . . of the United States . . . on behalf of any other person (except the United States . . .) in connection with a particular matter . . . in which the person participated personally and substantially as [an] officer or employee [of the executive branch.]" Based on my conversations with AUSA Dimase,

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I believe I participated personally and substantially in this matter during my time in the United States Attorney's Office, and therefore cannot appear in the matter on behalf of Mr. Martinez.

For these reasons, I respectfully request that the Court allow me to withdraw and appoint new counsel for Mr. Martinez. The Government has no objection to this request.

Respectfully submitted,



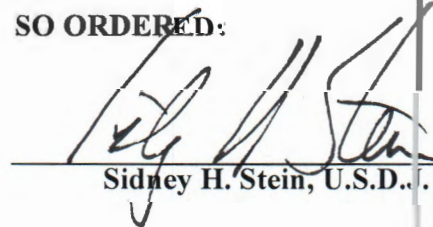
Joan M. Loughnane

cc: AUSA Brandon Thompson

**Ms. Loughnane's request to withdraw as counsel is granted. The CJA attorney on duty tomorrow, Jason E. Foy, is appointed to assume representation of defendant pursuant to the Criminal Justice Act. Ms. Loughnane is directed to notify Mr. Foy of the appointment, and turn over her file on this matter to him. The conference is adjourned to December 16 at 9:00 a.m. so that Mr. Foy can familiarize himself with this matter.**

Dated: New York, New York  
December 6, 2022

SO ORDERED:



Sidney H. Stein, U.S.D.J.